ஆகையால் தயவு செய்து ‘ ஸைக்லோஸ்டைல் ’ செய்து கொடுத்தால் அங்கத்தினர்களுக்கு சௌகர்யமாக இருக்கும் என்று தெரிவித்துக் கொள்கிறேன். ”

DEPUTY SPEAKER :—“ I think there is no provision in our rules for doing so.”

* SRI T. C. NARAYANAN NAMBIAR :—“ It is left to you, Sir, to have it circulated.”

SRI M. KALYANASUNDARAM :—“ The office can type the statement and circulate it to Members.”

* SRI M. NARAYANA KURUP :—“ It has been the convention on the promise made by Ministers that whenever they have to give a long reply they will either be printed or cyclostyled and copies given to all the Members and we have been following that practice, Sir.”

DEPUTY SPEAKER :—“ I will see that the statement is circulated to all the Members.”

IV.—GOVERNMENT BILLS.

(1) THE MADRAS BUILDINGS (LEASE AND RENT CONTROL) AMENDMENT BILL, 1955—*cont.*

Clause 2.

DEPUTY SPEAKER :—“ We will now continue our discussion on clause 2 of the Bill. The Government have given notice of an amendment and let the Hon. Minister in charge of the Bill move it.”

* SRI T. C. NARAYANAN NAMBIAR :—“ Before the Hon. Minister moves his amendment, I may be permitted to resume my speech which I did not conclude yesterday.”

DEPUTY SPEAKER :—“ All right, let the hon. Member first finish his speech and then let the Hon. Minister move the Government amendment.”

* SRI T. C. NARAYANAN NAMBIAR :—“ Mr. Deputy Speaker, Sir, I started my speech in Malayalam yesterday, but I will finish it to-day in English. I hope that I will not have to speak on the amendment that the Government have kindly come forward to move.” 9-40 a.m.

DEPUTY SPEAKER :—“ The hon. Member may be brief.”

SRI T. C. NARAYANAN NAMBIAR :—“ Yes, Sir, I will be very brief. Sir, we were under the impression at the beginning of the discussion that the Government will not accept our suggestion to continue the *status quo*. But in the meanwhile some changes

[Sri T. C. Narayanan Nambiar] [19th August 1955

have taken place, and Government have come forward with an amendment. Even now I do not find any reason to omit any of the municipalities or any area which has already been included. I therefore request the Hon. Minister to see that the *status quo* at least is maintained and the schedule is omitted."

* THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Mr. Deputy Speaker, Sir, after carefully considering the various suggestions that were put forward by hon. Members, Government have arrived at the conclusion that they should bring forward an amendment to give effect to it. Sir, I therefore move that—

'*In clause* 2, omit " (*hereinafter referred to as the principal Act*) " *and* for *sub-clause* (*a*), substitute *the following* :—

(*a*) *in sub-section* (2), *to clause* (*a*), *the following proviso shall be added, namely* :—

Provided that the State Government may, by notification in the Fort St. George Gazette, *direct that this Act shall cease to apply to any municipality specified therein from such date as may be mentioned in the notification.*'

" By this amendment, I would like to explain to the House that the *status quo ante* has been restored and all the areas which are governed by the present Act continue to be so. The only difference is that we take power now to exclude municipalities from the operation of the Act when considered necessary and with reference to panchayats we have already taken power to exclude them in the original Act. We have taken that power so that we may be consistent and when eventually we want to decontrol or do any such thing, it could on justifiable grounds be implemented. With that object in view I have asked for power to withdraw the operation of the Act from places where it is necessary to do so.

" Hon. Members will now see that all the places have been included and hon. Members would agree, unanimously, in supporting this amendment which is an answer to all the points that have been raised, perhaps to the exclusion of the hon. Members Sri A. Ratnam, Dr. Menon and Mr. Kurup who were uncharitable in criticizing it. This amendment, I hope, satisfies most of the points raised . . . (Interruption by Sri Narayana Kurup and Dr. Menon : ' We are also satisfied.') I am glad they are also satisfied. I request all hon. Members to withdraw all the other amendments except the Government amendment which satisfies them all."

DEPUTY SPEAKER :—" Amendment moved that—

' In clause 2, *omit* " (hereinafter referred to as the principal Act) " and *for* sub-clause (*a*) *substitute* the following :—

(*a*) in sub-section (2), to clause (*a*), the following proviso shall be added, namely :—

19th August 1955] [Deputy Speaker]

' Provided that the State Government may, by notification in the *Fort St. George Gazette*, direct that this Act shall cease to apply to any municipality specified therein from such date as may be mentioned in the notification, ' "

The amendments and the original motion are before the House for discussion.

SRI S. RAMALINGAM :—" Sir, I want to move an amendment to the Government amendment, which reads as follows :—

' *That the notification should be placed on the table of the House, so that the House may modify or repeal that.* ' "

(Interruption by the Hon. Finance Minister : ' This is not necessary; an assurance has been given that the notification will be placed on the table of the House.')

The amendment was not moved.

SRI M. KALYANASUNDARAM :—" Sir, I want to know from the Hon. Minister whether his assurance yesterday that a comprehensive Bill would be taken up later still holds good."

THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Yes, yes."

* SRI M. NARAYANA KURUP :—" Sir, I welcome this amendment. But one thing I want to say. Before Government notifies, I would request them to give proper publicity to such a move. Now what obtains is there are two parties—the owners of uildings and the public who are affected. My suggestion is that before such a notification excluding a certain area is passed, proper publicity to it, namely, that such a question is under the contemplation of the Government may be given so that the people affected will have an opportunity of presenting their case."

SRI V. R. KRISHNA AYYAR :—" Sir, the Hon. Minister said that the only change at present is that he has taken power to withdraw the application of the Act in respect of certain municipalities. I would only like to remind the Hon. Minister that it is good to have the strength of a giant, but it is very bad to exercise it like a giant; when he has occasion to exercise this particular power of withdrawing the application of the rent control, it should be done very cautiously, sparingly and reluctantly too. Particularly, as pointed out by Mr. Kurup, the parties affected must be notified. Placing the notification on the table of the House and straightaway following it by withdrawal of control is hardly any good. Local members and people affected and other parties concerned must be consulted so that it may be a democratic process of exercising power by the Government given to them under this Act. I would therefore suggest it may not happen at all within the two years so far as I could anticipate that the municipalities would have enough and be abundant in the matter of housing

accommodation—this should not be withdrawn in any area. Be that as it may, I only desire that exercise of the power must be done very cautiously."

SRI M. PALANIYANDI :—" கனம் உதவி சபாநாயகர்
9-46 a.m. அவர்களே, நேற்று எதிர்க் கட்சியிலும் காங்கிரஸ் கட்சியிலும் நண்பர்கள் சொன்ன பிரகாரம் இன்று நமது கனம் மராமத்திலாகா மந்திரி அவர்கள் இந்த திருத்தத்தைக் கொண்டு வந்திருக்கிறார். அது ரொம்பவும் வரவேற்கத் தக்கது. ஷெடியூலில் போட்டிருக்கும் முனிசிபாலிட்டிகளைத் தவிர மற்ற முனிசிபாலிட்டிகளுக்கும் மேஜர் பஞ்சாயத்துகளுக்கும் இது உண்மையாகவே நீடிக்கப்படாமல் இருந்தால் நூற்றுக் கணக்கான, ஆயிரக் கணக்கான வெளியேற்றங்கள் இதுவரையில் நடைபெற்று பல கேஸ்கள் தொடங்கப்பட்டிருக்கும். அதனால் இந்த திருத்தத்தை நான் முழு மனதுடன் வரவேற்கிறேன்.

" அடுத்தபடியாக இப்பொழுது கொடுக்கப்பட்டிருக்கும் ப்ரோவைசோவின் படி அதாவது எந்த முனசிபாலிட்டிக்காவது இந்த சட்டத்தை வாபஸ் வாங்கவேண்டுமானால் நோடிபிகேஷன் மூலமாக பிரசுரம் செய்துவிட்டு வாபஸ் வாங்கப்படும் என்று சொல்லப்பட்டிருக்கிறது. இதைப் பற்றி ஆலோசனை செய்யவேண்டியது அவசியமாக இருக்கிறது. அப்படி வாபஸ் வாங்கும்போது அந்தந்த முனிசிபாலிட்டிகளிலுள்ள மக்களுடைய பிரதிநிதிகளை கலந்தாலோசித்து அப்படி வாபஸ் வாங்குவதுதான் நியாயம் என்று தோன்றுகிறது. மக்களுடைய பிரதிநிதிகளை கலந்து கொண்டு அவர்களுடைய ஆலோசனையைக் கேட்டு சட்டசபைக்கு வந்தபின் வாபஸ் வாங்குவதற்கு வேண்டிய நடவடிக்கை எடுத்துக் கொள்ள வேண்டும் என்று கேட்டுக் கொள்ளுகிறேன். அப்பொழுது தான் நியாயம் செய்ததாகும். ஆகையால் இந்த திருத்தத்தை நான் மிகவும் வரவேற்கிறேன். இந்த திருத்தத்தைக் கொண்டு வந்ததற்கு கனம் மந்திரி அவர்களுக்கு என்னுடைய வணக்கத்தை தெரிவித்துக் கொள்ளுகிறேன்."

SRI E. L. RAGHAVA MUDALIAR :—" Mr. Deputy Speaker, I thank the Hon. Minister for the amendment that he has moved. Even now he has reserved his power to withdraw the operation of the Act, if necessary, in certain areas. Of course, nobody could object to it if it is justified. But I would request the Hon. Minister not to act on the report of ' responsible men ' which he read yesterday; for, that report is based on false statistics. The Collector has come to the conclusion that because a certain municipal area has a certain population and a certain number of houses which works on an average to $6\frac{1}{2}$ persons per house, there is no necessity for control. That is not the relevant factor to be taken into consideration. The relevant factor that has to be taken into consideration is this : in a particular town how many houses are available for tenants and how many houses are used by owners themselves and thus work out the supply and demand position. Supposing there are 100 houses available and there are 600 families wanting houses, then surely there is scarcity of houses. If the total number of houses and the total population is alone taken into consideration, it will give only a false figure. Therefore I submit that before the operation of this Act is withdrawn from any particular municipality, the number of houses available for tenants and the total number of tenants wanting houses should be taken into consideration, and not the total population and the total number of houses. In this

19th August 1955] [Sri E. L. Raghava Mudaliar]

connection I am reminded of the story of the man who started to cross the river on the strength of the average depth of the river and who when in mid-stream was washed off. If it works on the average figure of the responsible collectors, I am afraid the Ministry also will get drowned. I do not want to see the Ministry drowned on this average issue.''

* THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—'' Hon. Members have been saying that the power that we are now taking under the proviso to Clause 2 should be sparingly used and in that Mr. V. R. Krishna Ayyar characterised that it was much better to have this giant's strength but that we should not use that power as a giant. I need not give him any explanation regarding our giant's strength. It has been demonstrably done here. The giant's strength has been used yesterday and it has been withdrawn today. (Laughter.) So Sri V. R. Krishna Ayyar can very well be convinced that there will not be any hasty action on the part of Government. I might concede this point, viz., that we would take into consideration all points before we come to a decision to exercise that power. Mr. Krishna Ayyar has requested that this power that we are taking under proviso to Clause 2 should be sparingly used. There will not be any necessity as he has envisaged and even if it is to be done, all the relative factors will be considered. There will be no question of the Ministry getting itself drowned in mid-ocean, as Mr. Raghava Mudaliar has pointed out. The respective M.L.As of the areas will be consulted and any measure that is taken will be satisfactory to all parties concerned. That much of assurance I can give. With that assurance, I do hope all hon. Members will accept the amendment which I have moved and withdraw all their other amendments and thus allow this Bill to be passed.'' 9–50 a.m.

The amendment of Sri M. Palaniyandi was by leave withdrawn.

The amendment of Sri M. Kalyanasundaram was by leave withdrawn.

DEPUTY SPEAKER :—'' The question is—

' In clause 2, *omit* '' (hereinafter referred to as the principal Act) '' and for sub-clause (*a*), *substitute* the following :—

(*a*) in sub-section (2), to clause (*a*), the following proviso shall be *added*, namely :—

Provided that the State Government may, by notification in the *Fort St. George Gazette*, direct that this Act shall cease to apply to any municipality specified therein from such date as may be mentioned in the notification.' ''

The motion was put and carried.

Clause 2 as amended was put and carried.

Clause 3.

* THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Sir, I move—

' Omit *clause* 3.' "

The amendment was put and carried.

DEPUTY SPEAKER :—" The amendment given notice of by Sri M. Kalyanasundaram to clause 3 cannot be moved in view of clause 3 having been deleted."

Clause 1 and the Preamble were put and carried.

* THE HON. SRI R. SHANMUGA RAJESWARA SETHUPATHI :—" Sir, I move—

' *That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1955, as amended, be passed.*' "

DEPUTY SPEAKER :—" Motion moved—

' That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1955, as amended, be passed.' "

SRI P. RAMAMURTHI :—" கனம் உதவி சபாநாயகர் அவர்களே, கடைசியாக ஓரளவு எதிர் கட்சி சொன்ன வாதத்தை ஒப்புக்கொண்டு இந்த திருத்தத்தைக் கொண்டு வந்ததைப்பற்றி என்னுடைய மகிழ்ச்சியை தெரிவிக்கிறேன். எங்களால் கொண்டு வரப்பட்ட திருத்தங்களில் சில ஆட்சேபணைகள் இருக்கத்தான் செய்தன. உதாரணமாக சர்க்கார் அபிப்பிராயப்பட்டால் அவர்களே சில முனிசிபாலிட்டிகளுக்கு இந்த சட்டம் செல்லுபடியாகாது என்று நோட்டிபிகேஷன் மூலமாக அறிவிப்பதற்கும் உத்தரவு போடுவதற்கும் சர்க்காருக்கு அதிகாரம் வழங்கப்பட்டிருக்கிறது. அதில் எங்களுக்கு ஆட்சேபணை இருந்த போதிலும் இன்று சட்டசபையில் இருக்கும் நிலைமையைப் பார்த்து இந்த அளவில் ஒப்புக் கொண்டதை ஒரு வெற்றி என்றே கருத வேண்டியதாக இருக்கிறது. அதோடு நிறுத்திக்கொள்ளுகிறோம். அதனால் அதற்கு மேல் ஆட்சேபனைகளை கிளப்பவில்லை. அப்படியே இந்த இரண்டு வருஷ காலத்திற்குள் எந்த முனிசிபாலிட்டிக்கும் இந்த சட்டத்திலிருந்து விதி விலக்கு அளிக்கப்டட மாட்டாது என்ற நம்பிக்கையின் பேரில் இந்த திருத்த மசோதாவை நாங்கள் ஏற்றுக்கொள்ளுகிறோம்."

DEPUTY SPEAKER :—" The question is—

' That the Madras Buildings (Lease and Rent Control) Amendment Bill, 1955, as amended, be passed.' "

The motion was put and carried and the Bill, as amended, was passed.

V.—GOVERNMENT MOTION.

MOTION UNDER RULE 21 (3) OF THE ASSEMBLY RULES *re* CHANGE IN THE ORDER OF BUSINESS.

THE HON. SRI C. SUBRAMANIAM :—" Sir, I move—

' *That under rule* 21 (3) *of the Assembly Rules, the Madras Sales of Motor Spirit Taxation (Amendment) Bill*, 1955, *be taken up now and that the Madras Bhoodan Yagna Bill*, 1955, *be taken up afterwards.*' "

The motion was put and carried.